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Attorneys for Defendants  
MARK DILLON, TERESA NOA, MELVIN PONCE,  
SONIA PURDY, JUSTIN FUKUMOTO,  
ALFREDDA WAIOLAMA, and JACQUELINE RIO

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

WAYNE BERRY, a Hawaii citizen,	)	CIVIL NO. CV03-00385 SOM-LEK
	)	(Copyright)
Plaintiff,	)	
	)	DEFENDANTS MARK DILLON, TERESA
v.	)	NOA, MELVIN PONCE, SONIA
	)	PURDY, JUSTIN FUKUMOTO,
HAWAIIAN EXPRESS SERVICE,	)	ALFREDDA WAIOLAMA, AND
INC., a California	)	JACQUELINE RIO'S JOINDER TO
corporation; et al.	)	PROPOSED JURY INSTRUCTIONS OF
	)	THE POST CONFIRMATION TRUST
Defendants.	)	FOR FLEMING COMPANIES, INC.,
	)	FILED ON JANUARY 10, 2006
	)	
	)	
	)	TRIAL: January 24, 2006
	)	JUDGE: Hon. Susan Oki
	)	Mollway
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DEFENDANTS MARK DILLON, TERESA NOA, MELVIN PONCE, SONIA PURDY,  
JUSTIN FUKUMOTO, ALFREDDA WAIOLAMA, AND JACQUELINE RIO'S  
JOINDER TO PROPOSED JURY INSTRUCTIONS OF THE POST CONFIRMATION  
TRUST FOR FLEMING COMPANIES, INC., FILED ON JANUARY 10, 2006

Defendants Mark Dillon, Teresa Noa, Melvin Ponce, Sonia Purdy, Justin Fukumoto, Alfredda Waiolama, and Jacqueline Rio, ("Defendant Employees") by and through their attorneys, Lyle S. Hosoda & Associates, LLC, hereby file their joinder to the Proposed Jury Instructions of the Post Confirmation Trust for Fleming Companies, Inc., filed on January 10, 2006.

Dated: Honolulu, Hawaii, January 10, 2006.

/s/ Lyle S. Hosoda  
LYLE S. HOSODA  
RAINA P.B. MEAD  
Attorneys for Defendants  
MARK DILLON, TERESA NOA, MELVIN  
PONCE, SONIA PURDY, JUSTIN  
FUKUMOTO, ALFREDDA WAIOLAMA, and  
JACQUELINE RIO